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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Keiichi Koshiba

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7055 7590 10/24/2008  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 ROLAND CLARKE PLACE  
RESTON, VA 20191

EXAMINER

SHANG, ANNAN Q

ART UNIT

PAPER NUMBER

2424

NOTIFICATION DATE

DELIVERY MODE

10/24/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

<b>Office Action Summary</b>	<b>Application No.</b> 09/610,107	<b>Applicant(s)</b> KOSHIBA, KEIICHI	
	<b>Examiner</b> ANNAN Q. SHANG	<b>Art Unit</b> 2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 50,51,54-75 and 84-89 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 50,51,54-75 and 84-89 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments with respect to claims 50, 51, 54-75 and 84-89 have been considered but are moot in view of the new ground(s) of rejection.

With respect to the rejection of the last office action, Applicant amends the claims and further argues that the prior art of record does not teach the amended claim limitations (see page 14+ of Applicant's Remarks).

In response, Examiner disagrees. Examiner notes Applicant's arguments/amendment, however Ferris meet all the claims limitations as follows: Claims 50, 51, 54-75 and 84-89 are rejected under 35 U.S.C. 102(e) as anticipated by **Ferris et al (2006/0288374)** or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Ferris et al (2006/0288374)**. Ferris discloses a plurality of information units (fig.3, Broadcasters 'BCS' 402), each information unit being a part of a broadcast program and carrying information representing one of various items in the broadcast program, the broadcast program being provided to an information recipient by a unidirectional communication (via Content T/X 404) from an information provider.([0048-0049]), note BCS-402 generates content from a number of sources 403 including video cameras, video played tape, infomercials and commercials via 401, all being received into various mediums or units and processed accordingly by a plurality of units. BCS-402 inserts information items within appropriate portions of the stream and the combined content stream is fed into transmission mechanism 404 for broadcast to user's home. Ferris further discloses receiving, at an information manager (fig.3, Central Processing Station

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'CPS' 420) from a first communications device (TV-405/Handset 417) associated with an information recipient, and independently of a second communication device (PC-419) distinct from the first communications device, an information recipient verification data that identifies the information recipient and identifying data particular to and distinctly identifying an information unit selected by the information recipient (figs.1-4, page 1, [0014-0016], [0021-0037], [0054-0061] and [0095-0102]), the identifying data being stored in a database (Database 407/408/410/411) in association with the information recipient verification data, when the information manager receives the identifying data and information recipient verification data, and the identifying data being linked in the database to reference data associated with and defining features of the information unit selected by the information receipt (page 1, [0014-0016], [0021-0037], [0054-0061] and [0095-0102]), note that Handset device 417 includes a unique communication ID that enables the CPS-402 to identify the user and also the item selected and further established a two-way communication to allow reception and transmission of digital information and also store user's name and address in database 410; and permits access to the information manager from the second communications device (PC-419, includes a unique communication ID that allows the CPS-402 to identify the user and established a two-way communication to allow access to items select by the user which is held in database 410 using the user's name and address) independently distinct from the first communications device, where upon sending the information recipient verification data from the second communications device to the manager, the database enables access from the second communications device to the

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identifying data associated to the information receipt verification data, and in turn to the reference data linked to the identifying data over which the information manager receives the information receipt verification data and identifying data from the first communications device ([0061-0063] and [0095-0102]). Ferris meets all the claim limitations as discussed, however in the alternative if Applicant disagrees with Examiner, Ferris discloses a plurality of input sources and further discloses that the various input sources use various protocols to communicate data to the BCS-402. Hence it obvious to one skilled in the art to include various processing units to efficiently process the various items from the various sponsors to a standard format, combine the items with the main content to the standard format for broadcasting to users via Content T/X 404. The amendments to the claims do not overcome the prior art of record. The amendment necessitated the new ground(s) of rejection as discussed below. **This office action is made Final.**

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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3. Claims 50, 51, 54-75 and 84-89 are rejected under 35 U.S.C. 102(e) as anticipated by **Ferris et al (2006/0288374) previously cited** or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Ferris et al (2006/0288374)**.

.As to claim 50, note the **Ferris** reference figures 1-4, discloses a communication system and method and further discloses a data management method, comprising:

Providing a plurality of information units (fig.3, Broadcasters 'BCS' 402), each information unit being a part of a broadcast program and carrying information representing one of various items in the broadcast program, the broadcast program being provided to an information recipient by a unidirectional communication (via Content T/X 404) from an information provider.([0048-0049]), note BCS-402 generates content from a number of sources 403 including video cameras, video played tape, infomercials and commercials via 401, all being processed by a plurality of units where the combined content stream is fed into transmission mechanism 404 for broadcast to user's home

Receiving, at an information manager (fig.3, Central Processing Station 'CPS' 420) from a first communications device (TV-405/Handset 417) associated with an information recipient, and independently of a second communication device (PC-419) distinct from the first communications device, an information recipient verification data that identifies the information recipient and identifying data particular to and distinctly identifying an information unit selected by the information recipient (figs.1-4, page 1, [0014-0016], [0021-0037], [0054-0061] and [0095-0102]), the identifying data being stored in a database (Database 407/408/410/411) in association with the information

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recipient verification data, when the information manager receives the identifying data and information recipient verification data, and the identifying data being linked in the database to reference data associated with and defining features of the information unit selected by the information receipt (page 1, [0014-0016], [0021-0037], [0054-0061] and [0095-0102]), note that Handset device 417 includes a unique communication ID that enables the CPS-402 to identify the user and also the item selected and further established a two-way communication to allow reception and transmission of digital information and also store user's name and address in database 410; and

Permitting access to the information manager from the second communications device (PC-419, includes a unique communication ID that allows the CPS-402 to identify the user and established a two-way communication to allow access to items select by the user which is held in database 410 using the user's name and address) independently distinct from the first communications device, where upon sending the information recipient verification data from the second communications device to the manager, the database enables access from the second communications device to the identifying data associated to the information receipt verification data, and in turn to the reference data linked to the identifying data over which the information manager receives the information receipt verification data and identifying data from the first communications device ([0061-0063] and [0095-0102]).

In the alternative if Applicant disagrees with Examiner, Ferris discloses a plurality of input sources and further discloses that the various input sources use various protocols to communicate data to the BCS-402.

Hence it obvious to one skilled in the art to include various processing units to efficiently process the various items from the various sponsors to a standard format, combine the items with the main content to a standard format for broadcasting to users via Content T/X 404.

As to claim 51, Ferris further discloses where the information unit from the information provider is received at the first communication device ([0014-0016], [0021-0037], [0054-0061] and [0095-0102]).

As to claim 54, Ferris further discloses where the information recipient verification data and identifying data are received from the first communications device based on a signal received from a remote controller generated when the information recipient selects the information unit, and wherein the remote controller comprises a plurality of information designating buttons for separate individuals, each information designating button corresponding to a different information recipient verification data ([0054-0063] and [0095-0101]).

As to claim 55, Ferris further discloses where the information unit is received by and presented to the information recipient using a information unit receiving device, and wherein a portable controller is used to select the information unit (page 1, [0014-0016], [0021-0037], [0054-0061] and [0095-0102]).

As to claim 56, Ferris further discloses where the information recipient verification data comprises one of a personal identification that uniquely identifies an individual information recipient, and a group identification that identifies a group of associated



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individual information recipients (page 1, [0014-0016], [0021-0037], [0054-0061] and [0095-0102]).

As to claim 57, Ferris further discloses where the identifying data comprises at least one of a time when the information recipient selects the information unit, and a channel by which the information recipient receives the information unit ([0065-0069] and 0095-0101]).

As to claim 58, Ferris further discloses where the identifying data comprises codes, which identify the selected information unit, the codes being applied to the content prior to the information unit being provided to the information recipient ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 59, Ferris further discloses where the reference data comprises at least one of detailed information, which describes the information unit and detailed information, which describes a subject of selected information unit ([0065-0069] and 0095-0101]).

As to claim 60, Ferris further discloses where the reference data comprises at least one of date indicating information which indicates a date when the selected information unit is selected, a program indicating information which indicates an identity of the selected content as a media program, a program genre indicating information which indicates a genre of the selected information unit, a region indicating information which indicates a region in which the selected information unit is selected, and a sponsor indicating information which identifies a sponsor of the selected information unit ([0048-0054], [0065-0069] and 0095-0101]).

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As to claim 61, Ferris further discloses where the reference data comprises at least one of date indicating information, program indicating information, program genre indicating information, region indicating information, and sponsor indicating information, wherein at least one of the date indicating information, the program indicating information, the program genre indicating information, the region indicating information, and the sponsor indicating information is retrieved by the second communications device as at least one retrieval key using the information manager, and wherein the at least one retrieved retrieval key is displayed on the second communications device in order based on frequency of usage ([0048-0054], [0065-0069] and 0095-0101)).

As to claim 62, Ferris further discloses where the information unit comprises at least one of audio information and video information ([0048-0054], [0065-0069] and 0095-0101)).

As to claim 63, Ferris further discloses where the information unit comprises information included in printed material ([0048-0054], [0065-0069] and 0095-0101)).

As to claim 64, Ferris further discloses where the information unit comprises at least one of broadcast information, aired information, and information disclosed at an event ([0048-0054], [0065-0069] and 0095-0101)).

As to claim 65, Ferris further discloses storing in the database, by the information manager, the information recipient verification data and the identifying data ([0048-0054], [0065-0069] and 0095-0101)).

As to claim 66, Ferris further discloses where the information recipient verification data and the identifying data are stored in the database by an apparatus external to the information manager ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 67, Ferris further discloses storing in the database, by the information manager the reference data ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 68, Ferris further discloses where the reference data is stored in the database by an apparatus external to the information manager ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 69, Ferris further discloses where the reference data is added to the information unit prior to the information unit being selected by the information recipient ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 70, Ferris further discloses where the information manager calls at least one of the information unit and the reference data upon receiving the information recipient identification and the identifying, the called at least one of the information unit and the reference data being stored in the database in association with the information recipient verification data ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 71, Ferris further discloses receiving the selected information unit at the information manager; and storing the selected information unit in the database by the information manager ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 72, Ferris further discloses where receiving the selected information unit at the information manager, where the selected information unit is stored in the

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database by an apparatus external to the information manager ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 73, Ferris further discloses where the information recipient receives the information unit using at least one of a set top box and a television receiver ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 74, Ferris further discloses where the information recipient verification data comprises one of a code particular to a information unit receiving device, a code particular to an identifying data transmission device, and a code particular to the information recipient who selects the information unit ([0048-0054], [0065-0069] and 0095-0101]).

As to claim 75, the claimed “An information manager that receives, from a first communications device associated with an information recipient...” is composed of the same structural elements that were discussed with respect to the rejection of claim 50.

As to claim 84, the claimed “A data management method, comprising... is composed of the same structural elements that were discussed with respect to the rejection of claim 50.

As to claim 85, the claimed “A data management system, comprising... is composed of the same structural elements that were discussed with respect to the rejection of claim 50.

Claims 86-89 are met as previously discussed with respect to claim 50.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative or access** to the automated information system, **call 800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

/Annan Q Shang/

Primary Examiner, Art Unit 2424

**Annan Q. Shang**